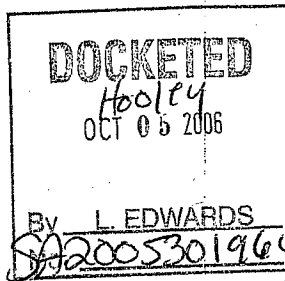


## **EXHIBIT 12**

1 GEORGE M. MAVRIS (SB# 179471)  
2 Attorney at Law  
3 1 Point St. George Place  
4 Crescent City, CA 95531  
5 Telephone: (707) 464-1418  
6 Fax: (707) 464-3364



FILED  
DEL NORTE  
SUPERIOR COURT

2006 OCT -2 PM 1:48

CLERK OF THE COURT

Martha A. Hartley

BY  
DEPUTY

7 SUPERIOR COURT OF CALIFORNIA

8 COUNTY OF DEL NORTE

9  
10 IN RE

11  
12 ARCADIO ACUNA, C-43165

13  
14 ON HABEAS CORPUS

) No: HCPB 05-5242

)  
) SUPPLEMENTAL DECLARATION OF  
) ARCADIO ACUNA

15  
16 Petitioner, by and through counsel, submits the following  
17 declaration in support of the Petitioner's Writ in these  
18 proceedings.

19  
20  
21 Date: 9/30/06

Respectfully submitted,

M. M. L.

George M. Mavris, Attorney

Arcadio Acuna # C-43165

Pelican Bay State Prison

P.O. Box 7500 / EDU-113

Crescent City, CA 95532

Petitioner

Superior Court of The State of California  
For The County of Del Norte

In re:

Arcadio Acuna # C-43165

No. HCPB 05-5242

Declaration

On Habeas Corpus

I, Arcadio Acuna, declare as follows:

- 1) I am a state prisoner serving a multiple life sentence and am currently confined to the Security Housing Unit of Pelican Bay State Prison.
- 2) I am the petitioner in the above entitled habeas corpus proceeding in which I have challenged the legality of the validation process that labeled me a member of a prison gang and which formed the basis for imposition of an indeterminate term of administrative

segregation that began on Mar. 5, 2004, and has continued until the present date.

3.) During the course of this indeterminate still term I have attended every scheduled classification hearing and have vehemently made committee members aware of the numerous details of due process in the validation itself and argued with full force that I am not now and have never been a active member or associate of a prison gang.

4.) Every committee hearing nonetheless endorsed the validation even when such obvious violations existed as failure to properly disclose the confidential information relied on and the source items did not show that I had ever been a member of a prison gang. By these actions I have lost complete faith in the fairness and integrity of the classification process and am convinced based on my own personal experiences that classification hearings are meaningless gestures that do not provide the procedural safeguards required by law.

5.) Also during the course of this continuous term of segregation I have filed numerous CDC-002 Inmate Appeals challenging various aspects of the validation process, and most recently submitted such an appeal in regard to the revalidation that was entered on July 26, 2006, which changed my classification from member to associate (see attached).

6.) Every single inmate appeal I have filed has been denied, and as shown by the current appeal prison officials refuse

to address the issues raised and make general denials claiming decisions made comport to the Code of Regulations. In this appeal it must also be noted that the decision to deny it was based on an interview conducted by the very same official who was part of the action being challenged. (Sgt. Braumberg)

7.) As a result of what I have seen and experienced with the inmate appeals I have filed I have lost complete faith in the integrity and fairness of the Department's internal appeal process and am convinced that it does not afford any type of meaningful review of legitimate claims.

8.) Finally, I declare that I have in no way, shape or form been personally involved in illegal activity which can be taken to show that I have actively aided and abetted, promoted or furthered the interests of any prison gang, and assert that the only act I am guilty of committing is interacting in a positive manner with the other prisoners with whom the Department has chosen to house me with.

I declare under penalty of perjury that all of the above statement is true and correct, and was executed on this 24th day of Sept. 2006, in Crescent City, California.

Arcadio Acuna  
Arcadio Acuna, Declarant

**INMATE/PAROLEE  
APPEAL FORM**  
 CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

1.

2.

2.

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
Acuna	C-43165	SHU	D6-113

A. Describe Problem: on 7/28/06, I was given a CDC-128 B2 gang validation chrono showing that I had been validated as an "associate" of a prison gang on 7/24/06 based on (16) different source items ranging in date from 10/3/05 to 10/11/05. To begin with it must be noted that I was validated as a "member" of a gang on 1/20/04 based on (3) of the source items relied on in the current validation, and pursuant to a court order in case #HCPB-03-5242, where it was found I was denied due process and the evidence did not show actual membership, a new (see attached)

If you need more space, attach one additional sheet.

B. Action Requested: I issue a decision that source items do not establish I am an active associate of a prison gang in accordance with "Castillo" criteria, grant inactive status and release to the GL forthwith.

Inmate/Parolee Signature: Creadio Acuna Date Submitted: 7/30/06

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

Staff Response: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number: \_\_\_\_\_

2nd PAGE  
AUG 02 2008

validation package was submitted to the LEIU on 4/5/08 by IGI D. lawie. Also, of relevance to this appeal I am asserting the "Castillo" criteria is controlling (see ~~attached~~ Notice of Change to Regulations # 05/08) and under these standards the source items relied on do not establish I am an active associate. Each of the source items is addressed as follows:

Item #1 - Memo dated 10/3/05 - Alleges a letter was written to the mother of one of my ex-cell mates by I/m Estrada, but does not identify gang activity on my part and does not show I myself ever communicated with I/m Estrada. Also, staff failed to articulate how this information qualified as evidence of active association in accordance with § 3378(c)(8)(C).

Item #2 - Memo dated 10/12/04 - Discloses a note confiscated from a prisoner at Culiacan mentions me by name but does not depict gang activity on my part. Staff failed to articulate how this information qualified as evidence of active association in accordance with § 3378(c)(8)(C).

Item #3 - 128B dated 3/10/04 - States my name and number found in another prisoner's phonebook, but shows no link to gang activity or that I ever communicated with this I/m. Staff failed to articulate how this information qualified as evidence of active association in accordance with § 3378(c)(8)(C).

Item #4 - CDC 115 dated 7/30/90 - Citing 128Bs dated 3/24/01, 2/10/95, 2/14/93. Reference: a RVR where I was found guilty of an assault. Incident occurred more than 6-yrs. ago and does not qualify as source item pursuant to § 3378(c)(1).

Item #5 - Memo dated 12/12/03 - This item was originally relied on to validate me as an "active associate" but does not show any activity on my part. It says a note was re-

with no evidence of a direct link to specific verifiable gang activity. This information was in my file when validation package submitted to LEIU in Jan. 04, and found then not to qualify as a reliable source by IGI.

Item #9 - Memo dated 3/5/02 - Informant claimed I was directing gang activities and providing weapons to other prisoners but no direct link was ever made tying me to specific acts. This information was in my file when validation package submitted in Jan. 04, and



<p>PELICAN BAY STATE PRISON</p> <p>SECOND LEVEL REVIEW</p>
--

DATE: SEP 11 2008

Inmate: ACUNA, C-43165  
 Pelican Bay State Prison  
 Security Housing Unit  
 Facility D

RE: WARDEN'S LEVEL DECISION  
 APPEAL LOG NO. PBSP-D06-01842

APPEAL: DENIED  
 ISSUE: CASE INFO/RECORDS

This matter was reviewed by Robert A. Horel, Warden, at Pelican Bay State Prison (PBSP). Correctional Sergeant D. Barneburg conducted the Appeal interview at the Second Level of Appeal Review on August 31, 2006.

All submitted documentation and supporting arguments have been considered, including the interview conducted at the Second Level of Review. Additionally, a thorough investigation has been conducted into the claim presented by the inmate and the documentation evaluated in accordance with PBSP's institutional procedures and the California Department of Corrections and Rehabilitation policies.

#### ISSUES

In Section A of the Appeal Form, inmate ACUNA states that he had been issued a new CDC 128B2 indicating that his validation had been changed and updated from Mexican Mafia (EME) member to EME associate. This update was completed per a court order issued by the Del Norte County Superior Court. ACUNA asserts that the sixteen (16) validation sources cited on his 128B2 did not meet the criteria set forth in the Castillo vs. Alameida settlement and did not articulate specific gang activity on ACUNA's part. ACUNA addressed the 16 items individually, stating that each did not meet the Castillo criteria.

Inmate ACUNA requested that a decision be made that he is not an active associate of the EME pursuant to the Castillo vs. Alameida settlement, and be released to the General Population.

The Informal Level, Formal Level, and First Level were bypassed in this Appeal.

On August 31, 2006, Sergeant Barneburg interviewed inmate ACUNA concerning the contents of this Appeal. During the course of this interview, ACUNA related essentially the same information that he provided in his written Appeal.

#### FINDINGS

##### I

Inmate ACUNA was originally validated as a member of the EME on October 5, 1995, based upon a gang validation package submitted by Institutional Gang Investigator Bell at Folsom State Prison. A subsequent 128B2 dated February 7, 2000, was issued identifying ACUNA as inactive. On



Second Level Reviewer's Response  
Appeal Log No. PBSP-D06-01842  
Inmate ACUNA, C-43165  
Page 2

January 12, 2004, an Inactive Review was completed by Institutional Gang Investigator Garcilazo at California State Prison, Los Angeles County, which resulted in a CDC 128B2, Gang Violation Chrono dated January 20, 2004, identifying inmate ACUNA as an active EME member. In an agreement with the Del Norte County Superior Court, the validation of ACUNA and his status were reviewed. The 16 documents were submitted by Correctional Counselor II D. Hawkes to satisfy this agreement resulting in a CDC 128B2 dated July 26, 2006, validating inmate ACUNA as an active associate of the EME.

Sergeant Barneburg reviewed inmate ACUNA's Central File and determined that the Confidential Memorandums used in ACUNA'S validation meet the validation requirements established in the California Code of Regulations (CCR), Title 15, Section 3378 and the Castillo vs. Alameida settlement. The Law Enforcement and Investigations Unit (LEIU) accepted the documents as current gang activity, and as the validating authority, LEIU is considered to be expert in their review and determination of the documents. Inmate ACUNA received a CDC 1030, Confidential Information Disclosure Forms, regarding each item used in his validation. The CDC 1030 provides the inmate with notification of documents being used against him, without revealing enough information for the inmate to identify the confidential source. Inmate ACUNA takes issue in his Appeal with not being provided enough information from confidential documents; however, all information regarding these documents has already been disclosed in accordance with policy and procedure.


## II

### DETERMINATION OF ISSUE

The Second Level Reviewer reviewed the action requested in this Appeal. This Appeal is DENIED at the Second Level. A review of the documents used in inmate ACUNA'S Active/Inactive review revealed that they met the validation requirements established in CCR, Title 15, Section 3378 and the Castillo vs. Alameida settlement. Therefore, ACUNA'S request that the documents used to justify his active gang status be expunged from his Central File is DENIED.

### MODIFICATION ORDER

No modification of this decision or action is required.



ROBERT A. HOREL  
Warden

STATE OF CALIFORNIA  
CDC 128-B-2 (5/95)

## DEPARTMENT OF CORRECTIONS

INMATE'S NAME: Arcadio ACUNA

CDC NUMBER: C43165

On October 5, 1995, a CDC 128B2 regarding subject was issued identifying subject as an Active EME associate based upon a gang validation package submitted by Institution Gang Investigator Bell at FOL. A subsequent CDC 128B2 dated February 7, 2000, was issued identifying subject as Inactive. On January 12, 2004, an Active/Inactive Review was completed by Institutional Gang Investigator Garcilazo at LAC, which resulted in a CDC 128B2 dated January 20, 2004, identifying subject as an active EME member. In an agreement with the Del Norte County Superior Court, the validation of subject and his current status were to be reviewed. The following documents were submitted to UPDATE and CHANGE subject's validation status:"

## TOTAL NUMBER OF ITEMS SUBMITTED FOR REVIEW: (27)

- Item (1) Confidential Memorandum dated 10/3/05 (Communications)  
Item (2) Confidential Memorandum dated 10/12/04 (Communications)  
Item (3) Confidential CDC 128B dated 8/10/04 (Association)  
- Item (4) CDC 115 dated 7/30/90 (Offenses) supported by  
Confidential Memorandum dated 3/29/04 (Debrief),  
Confidential Memorandum dated 2/10/95 (Debrief), and  
Confidential Memorandum dated 2/1/93 (Debrief)  
Item (5) Confidential Memorandum dated 12/12/03 (Communications) (Accepted 1/20/04) X-1  
Item (6) Confidential Memorandum dated 11/18/03 (Debrief)  
Item (7) Confidential Memorandum dated 9/23/03 (Informant) (Accepted 1/20/04) X-1  
Item (8) Confidential Memorandum dated 8/8/02 (Informant)  
Item (9) Confidential Memorandum dated 3/5/02 (Debrief)  
Item (10) Confidential CDC 128B dated 9/21/00 (Communications) (Accepted 1/20/04) X-1  
Item (11) Confidential Memorandum dated 1/31/94 (Communications)  
Item (12) Confidential Memorandum dated 5/13/93 (Informant)  
Item (13) Confidential Memorandum dated 10/29/92 (Communications)  
Item (14) Confidential Memorandum dated 8/31/90 (Debrief) (Accepted 10/5/95) X-X  
Item (15) Confidential Memorandum dated 9/20/89 (Debrief) (Accepted 10/5/95) X-X  
Item (16) Confidential Memorandum dated 10/11/88 (Informant) (Accepted 10/5/95) X-X

## TOTAL NUMBER OF ITEMS WHICH MEET VALIDATION REQUIREMENTS: (19)

The following items do not meet the validation requirements and were/shall not be used as a basis for validation:

- Item (1) Confidential Memorandum dated 6/17/03 (Debrief) (No EME activity noted)  
Item (2) Confidential Memorandum dated 12/12/01 (Informant) (No EME activity noted)  
Item (3) Confidential Memorandum dated 1/5/00 (Debrief) (No EME activity noted)  
Item (4) Confidential Memorandum dated 3/14/97 (Debrief) (No EME activity noted)  
Item (5) Confidential Memorandum dated 11/7/96 (Debrief) (No EME activity noted)  
- Item (6) CDC 128B dated 5/3/96 (Offenses) (No EME activity noted)  
Item (7) Confidential Memorandum dated 5/2/91 (Debrief) (No EME activity noted)  
Item (8) Confidential Memorandum dated 4/9/90 (Informant) (No EME activity noted)

## TOTAL NUMBER OF ITEMS WHICH DO NOT MEET VALIDATION REQUIREMENTS: (8)

## ACTION OF REVIEWER

Pursuant to the validation requirements established in 15 CCR Section 3378, Arcadio ACUNA is:

☒ VALIDATED ☐ REJECTED

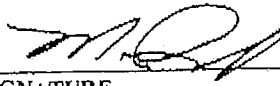


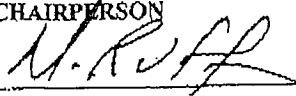
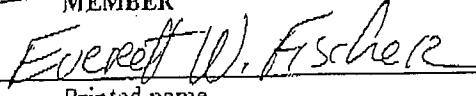
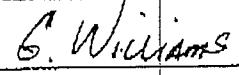
as an "Active" associate of the Mexican Mafia prison gang.

ACTIVE/INACTIVE REVIEW

OCT - 3 2011

ELIGIBILITY DATE

CDC 128B2  
Arcadio ACUNA C43165  
Page 2

		
SIGNATURE CHAIRPERSON	SIGNATURE MEMBER	SIGNATURE MEMBER
		
Printed name	Printed name	Printed name

DATE: 7/26/06

GANG VALIDATION/REJECTION REVIEW  
GENERAL CHRONO.  
LEIU/SSU

INMATE COPY

**DISTRIBUTION:**

- Original - Central File
- Copy - Classification & Parole Representative/Parole Administrator I
- Copy - Institutional Gang Investigator/Region Gang Coordinator
- Copy - Law Enforcement Liaison Unit
- Copy - Inmate/Parolee

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165INMATE NAME: ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_

submitted by \_\_\_\_\_

STAFF NAME, TITLE \_\_\_\_\_

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

a) ☐ This source has previously provided confidential information which has proven to be true.b) ☐ This source participated in and successfully completed a Polygraph examination.c) ☐ More than one source independently provided the same information.d) ☐ This source incriminated himself/herself in a criminal activity at the time of providing the information.e) ☐ Part of the information provided by the source(s) has already proven to be true.f) ☒ Other (Explain) \_\_\_\_\_Letter from EME member "Tudy" Arthur Estrada V26050

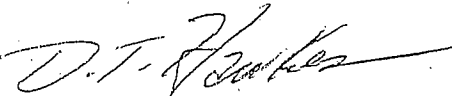
## 3) Disclosure of information received.

In a letter from EME member "Tudy" Arthur Estrada V26050 of Cucamonga to "Spooky" Velia Mendoza W15593 (discharged) [at 21957 Woodward Street; Perris, CA, 92507], Acuna is referenced as "the hometown Arcadio." Estrada wrote that Acuna may have misled another individual a little. This does not appear to be a concern to Estrada, for he said after this "So really I'm not tripping." Staff information identified the misled individual as "Dean" Salvador Mendoza J84814 of Casa Blanca. Acuna was identified as training EME associates how to avoid becoming validated

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder): \_\_\_\_\_

Confidential Memorandum dated October 3, 2005 in confidential section of C-File

  
D. T. Hawkes, Correctional Counselor II  
STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

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STAFF NAME, TITLE

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- c) ☐ More than one source independently provided the same information.
- d) ☐ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☐ Part of the information provided by the source(s) has already proven to be true.
- f) ☒ Other (Explain) \_\_\_\_\_

Notes confiscated from Brent Ebert H78330 of Shermans at Calipatria State Prison.

## 3) Disclosure of information received.

In one note, the author (identified as EME associate "Danny Boy" Daniel Sandigo K07935 of Upland) directs the recipient, "Anyway get at Cadio and let him know what's up with this vato and also tell Cadio to make sure that Spanky and Straño have a safe trip back here." "Spanky" has been identified as Henry Duenas P05117.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated October 12, 2004 in confidential section of C-File

D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER

C43165

INMATE NAME:

ACUNA, ARCADIO

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submitted by \_\_\_\_\_

STAFF NAME, TITLE

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## 3) Disclosure of information received.

Acuna's name was in the address book of EME member "Turtle" Mark Quiroz C50887 of Colton. The book contained the names of over 130 EME members and associates. Both Acuna's name and CDC# were entered.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential CDC Form 128B dated August 10, 2004 in confidential section of C-File

D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use



STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

## RULES VIOLATION REPORT

CDC NUMBER C-43165	INMATE'S NAME ACUNA, A	RELEASE/BOARD DATE	INSTITUTION FSP	HOUSING NO. A1-2300 W	LOG NO. 0-90-07-14
VIOLATED RULE NO(S) 3005(c) Force & Violence		SPECIFIC ACTS Physical Assault		LOCATION B-2 Din. Rm.	DATE & TIME 7-30-90 0800 Hours
CIRCUMSTANCES On July 30, 1990, while providing coverage in Facility B Control Booth #4, during controlled feeding of C section, Building #4, I observed inmate WINSTON, D-61285 walking into the Dining Hall. As he was walking past inmate ACUNA, C-43165, who was seated at the dining table, WINSTON topped, turned to his left, placed ACUNA in a head lock, with his left arm, and made what appeared to be slashing motions with his right hand at ACUNA'S right facial and neck area. At this time, the Control Booth Officers ordered everyone down. All inmates complied, with the exception of ACUNA, who remained seated at the table. As responding staff approached the table, ACUNA leaping forward, left his table and kicked WINSTON in the upper body and facial area. Both inmates went to the floor wrestling and throwing punches until responding staff separated the combatants, and placed them in mechanical restraints (handcuffs). ACUNA and WINSTON were escorted to the Facility B Clinic, where they were examined by the M. T. A. ACUNA received two (2) three inch (3") lacerations to the right side of his face. WINSTON received a small laceration on his right index finger. WINSTON was re-housed in Administrative Segregation. ACUNA was re-housed in the Institution Infirmary. A search of the area in which the incident occurred produced an inmate manufactured slashing instrument. This weapon consisted of a razor blade with thread wrapped around one end.					

REPORTING EMPLOYEE (Typed Name and Signature) B. G. BURLISON	DATE 7-30-90	ASSIGNMENT Fac. B Control Booth	ROOMS 1/E
REVIEWING SUPERVISOR'S SIGNATURE [Signature]	DATE 8/7/90	BY INMATE SEGREGATED PENDING HEARING DATE 7/30/90	
CLASSIFIED <input checked="" type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> SERIOUS	OFFENSE DIVISION D-61285	CLASSIFIED BY (Typed Name and Signature) [Signature]	HEARING REFERRED TO <input type="checkbox"/> HO <input type="checkbox"/> M. SHO <input type="checkbox"/> SC <input type="checkbox"/> EC

<input checked="" type="checkbox"/> CDC 115	BY (STAFF'S SIGNATURE) [Signature]	DATE 8/6/90	TIME 1:35	TITLE OF SUPPLEMENT
<input type="checkbox"/> INCIDENT REPORT LOG NUMBER	BY (STAFF'S SIGNATURE) [Signature]	DATE	TIME	BY (STAFF'S SIGNATURE)

HEARING  
Inmate ACUNA stated that he was in good health and acknowledged receipt of all reports. He was ready to proceed with the hearing. All time constraints had been met and all reports were received more than 24 hours prior to the hearing. Correctional Officer T. Higgins was assigned to be the investigating employee. Inmate ACUNA waived the assignment of an investigative employee, or any other investigative employee, and inmate ACUNA did not request witnesses present. The charge was read to inmate ACUNA, he pled GUILTY. He declined to make a statement.

FINDINGS: Subject is being found GUILTY of violating Director's Rules, section 3005(c) (violation: ASSAULT ON INMATE WINSTON). The preponderance of the evidence submitted at the hearing SUBSTANTIATES the charge. This evidence includes: CDC-115 dated 07-30-90, describing subject's refusal to comply with staff's orders, then assaulted inmate WINSTON.

DISPOSITION: Assessed 90 days loss of credits. Counseled and Reprimanded.

REFER TO: I.C.C. for confirmation of disposition. Inmate ACUNA was advised that he will receive a copy of the completed CDC-115 with final audit by the Chief Disciplinary Officer. He was also advised of his right to and the procedure for appeal of this action.

REFERRED TO CLASSIFICATION EXPERT ANALYSIS	SIGNATURE [Signature]	DATE 8/20/90	TIME 1:00
ACTION BY: (TYPED NAME) S. M. STANTON	CHIEF DISCIPLINARY OFFICER'S SIGNATURE [Signature]	DATE 8/22/90	TIME
REVIEWED BY: (SIGNATURE) [Signature]	BY (STAFF'S SIGNATURE) [Signature]	DATE 8-20-90	TIME
<input checked="" type="checkbox"/> COPY OF CDC 115 GIVEN INMATE AFTER HEARING			
CDC 115 (4/80)			



STATE OF CALIFORNIA

## SERIOUS RULES VIOLATION

NUMBER C-43165	NAME ACUNA, A	VIOLATED RULE NO. (B-1) 3005(c) Force & Violence	DATE 7-8-90	ROOM B-90-07-146
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STAFF ASSISTANT ☐ NEEDED ☐ REQUESTED ☒ ASSIGNED ☐ YES ☐ NONAME DEONIA AER CANTRELS 3915 (C)STAFF INVESTIGATOR ☒ NEEDED ☐ REQUESTED ☒ WAIVED BY INMATE: SIGNATURE: [Signature] DATE: 8-8-90ASSIGNED: T. HIGGINS DATE: 8-8-90 REASON: B-90-07-146 ROOM: 5, M

## REQUEST FOR POSTPONEMENT OF DISCIPLINARY HEARING:

I, U/A, request my hearing be postponed pending outcome of referral for Prosecution.Notice of outcome received U/A Disposition U/AI, U/A, revoke my request for postponement.

## WITNESSES REQUESTED AT HEARING (if not present, explain in findings)

☐ REPORTING EMPLOYEE ☒ STAFF ASSISTANT ☐ INVESTIGATIVE EMPLOYEE ☐ OTHER ☒ NONE

WITNESSES (GIVE NAME AND NO. IF POS)

GRANTED	NOT GRANTED
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

INVESTIGATIVE REPORT: Investigative employees must interview the inmate charged, the reporting employee, and any other persons who have significant information, documenting the testimony of each person interviewed. Review of files, procedures, and other documents must be completed.

In 8-8-90, at approximately 1320 hours, while assigned as an Investigative Employee for CDC-111, Log W B-90-07-146, assigned to Inmate ACUNA, CDC # C-43165, cell A1230, I attempted to interview Inmate ACUNA, subject, refused to be interviewed, and stated that he refuses all other Investigative Employees.

1. AM COPY TO FIVE

8-11-90

CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER

C43165

INMATE NAME:

ACUNA, ARCADIO

1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated

submitted by

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated

2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

a) ☐ This source has previously provided confidential information which has proven to be true.

b) ☐ This source participated in and successfully completed a Polygraph examination.

c) ☒ More than one source independently provided the same information.

d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.

e) ☒ Part of the information provided by the source(s) has already proven to be true.

f) ☐ Other (Explain)

3) Disclosure of information received.

A Northern Structure member reported during a debriefing interview that Acuna was assaulted at PBSP B Facility in 1990 by "Oso" Gerald Winston D51285, because Acuna was an EME associate and had directed assaults against Northern Hispanic inmates at PBSP Facility A.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder).

Confidential Memorandum dated March 29, 2004 in confidential section of C-File

D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

# CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER

C43165

INMATE NAME:

ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_

submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

a) ☐ This source has previously provided confidential information which has proven to be true.

b) ☐ This source participated in and successfully completed a Polygraph examination.

c) ☒ More than one source independently provided the same information.

d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.

e) ☒ Part of the information provided by the source(s) has already proven to be true.

f) ☐ Other (Explain) \_\_\_\_\_

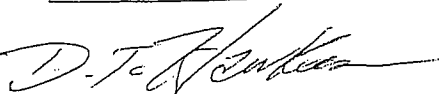
## 3) Disclosure of information received.

This is a debriefing interview with an EME associate. The source identified Acuna as an EME associate known as "Cadio" of Cucamonga. He stated Acuna was assaulted in the B4 Dining Room in 1990 by a gang rival, a Northern Hispanic (identified in the report as NS member "Oso" Gerald Winston D51285)

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated February 10, 1995 in confidential section of C-File



D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: 543165 INMATE NAME: ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☒ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☒ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) \_\_\_\_\_

## 3) Disclosure of information received.

The information received indicated the following: DURING A DEBRIEFING AN  
ASSOCIATE OF THE MEXICAN MAFIA, YOU WERE  
IDENTIFIED AS AN ASSOCIATE OF THE MEXICAN  
MAFIA (EME) PRISON GANG W/ AKA OF "CADIO."

(If additional space needed, attach another sheet.)

- 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). CONFIDENTIAL MEMO DATED 2/10/95 LOCATED IN  
THE CONFIDENTIAL SECTION OF YOUR C-FILE.



STAFF SIGNATURE, TITLE

12/4/96

DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use



STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER

C43165

INMATE NAME:

ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_

submitted by \_\_\_\_\_

STAFF NAME, TITLE \_\_\_\_\_

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

a) ☐ This source has previously provided confidential information which has proven to be true.b) ☐ This source participated in and successfully completed a Polygraph examination.c) ☒ More than one source independently provided the same information.d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.e) ☒ Part of the information provided by the source(s) has already proven to be true.f) ☐ Other (Explain) \_\_\_\_\_


## 3) Disclosure of information received.

During a debriefing interview, an EME associate reported that Acuna was one of the Mexican Mafia's representatives in PBSP B Facility, and was slashed across the face by a Northern Hispanic inmate when he was eating in the dining room. After Acuna arrived at PBSP Administrative Segregation Unit, he wrote to EME associate "Gusi" Gustavo Flores C62331 of Rivas and directed an assault on "Wolfie" Louis Robles D11016 of Casa Blanca because Robles failed to warn or assist Acuna when he was assaulted in the Dining Room. Instead, Robles was cleared of any wrongdoing by other EME associates. The source identified Acuna as "Cadio" of Cucamonga.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated February 1, 1993 in confidential section of C-File

  
D. T. Hawkes, Correctional Counselor II  
STAFF SIGNATURE, TITLE

June 2, 2006  
DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C43/65 INMATE NAME: ACUNA

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated 9/29/93

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☒ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☒ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) \_\_\_\_\_

## 3) Disclosure of information received.

The information received indicated the following:

In a debriefing interview  
with an inmate you were identified as  
"Cadio" an EME associate from Cocamanga.

(If additional space needed, attach another sheet.)

## 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder).

Confidential memo located in confidential section  
of file date 2/1/93 by G. Briddle, PSP, IGT

[Signature] CCT

STAFF SIGNATURE, TITLE

9/29/93

DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165INMATE NAME: ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_

submitted by \_\_\_\_\_

STAFF NAME, TITLE \_\_\_\_\_

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:


a) ☐ This source has previously provided confidential information which has proven to be true.b) ☐ This source participated in and successfully completed a Polygraph examination.c) ☐ More than one source independently provided the same information.d) ☐ This source incriminated himself/herself in a criminal activity at the time of providing the information.e) ☐ Part of the information provided by the source(s) has already proven to be true.f) ☒ Other (Explain) \_\_\_\_\_Note discovered in cell of "Duke" Victor Miranda K59950 of Pico Viejo, Dec. 4, 2003

## 3) Disclosure of information received.

The note was sent to Miranda from "Nene" Hugo Hernandez H05442 of San Fer - Jokers. Hernandez wrote: "Beto and Cario are close friends and they work in Auto Body. What I meant to say is take Conejo's yaves and I did. I got the yaves from Conejo. I can prove it. So I think Beto must have told Cario I told Ciego that I was gonna take the yaves, but it was never Toto's. It was Terco's... If I can get granted to put Ciego, Beto, Cario, Conejo and myself all together the truth will come out. It will show that yes Beto was under the wrong impression and he ran with it." Gilbert Lopez K86894 is "Beto" of San Diego Armando Molinar D53455 is "Conejo" of Evergreen. Robert Lopez C06986 is "Toto" of Santa Paula. Victor Acuna D33299 is "Terco" of Bassett Grande. The term "yaves" is "llaves," and refers to authorization to conduct EME gang activities on behalf of the EME.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated December 12, 2003 in confidential section of C-File

D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use



STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C43165 INMATE NAME: ACUNA

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☐ More than one source independently provided the same information.
- d) ☐ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☒ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) \_\_\_\_\_

## 3) Disclosure of information received.

The information received indicated the following: that you provided Acuna

C-43165, continued to participate with  
Mexican Mafia activities, while at the  
California State Prison - Los Angeles County  
Facility "B".

(If additional space needed, attach another sheet.)

## 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder).

Confidential Memorandum dated 12-12-03, authored  
by B. Preciado, Institutional Gang Investigator Assistant  
located in your confidential folder

STAFF SIGNATURE, TITLE

DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165INMATE NAME: ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_

submitted by \_\_\_\_\_

STAFF NAME, TITLE \_\_\_\_\_

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

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The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

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## 3) Disclosure of information received.

An EME associate during a debriefing interview, reported that Acuna is an inactive EME associate who continues to participate in EME gang politics.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated November 18, 2003 in confidential section of C-File  
D. T. Hawkes, Correctional Counselor II  
STAFF SIGNATURE, TITLEJune 2, 2006  
DATE DISCLOSEDDISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165 INMATE NAME: ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

a) ☐ This source has previously provided confidential information which has proven to be true.b) ☐ This source participated in and successfully completed a Polygraph examination.c) ☒ More than one source independently provided the same information.d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.e) ☒ Part of the information provided by the source(s) has already proven to be true.f) ☐ Other (Explain) \_\_\_\_\_


## 3) Disclosure of information received.

A self-admitted associate of the EME reported that "Cadio" Acuna was released from PBSP-SHU after getting his status changed to inactive. The source related that Acuna is very active, and was awaiting confirmation of EME membership. There were doubts about the granting of EME membership due to Acuna's age and the fact he had not killed anyone for the gang. While at CCI, Acuna was taking care of four or five EME members at PBSP-SHU. Acuna was sending money to EME members "Terco" Acuna, "Sleepy" Gabriel Huerta C80766 of Wilmas, "Chino" David Delgadillo D16318 of Geraghty Loma, and "Popeye." Acuna was reportedly instructing the inmates about the EME. Acuna reportedly targeted "Squid" Mark Galvan H91736 of Arlanza for assault. The targeting of Galvan for assault was questioned by another person operating for the EME. Acuna's name was on a list of persons the EME was protecting. Acuna and the other six individuals with this protection became known as the "Magnificent Seven." The note endorsing this action was signed by ten EME members from PBSP

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated September 23, 2003 in confidential section of C-File

  
 D. T. Hawkes, Correctional Counselor II  
 STAFF SIGNATURE, TITLE
June 2, 2006  
DATE DISCLOSEDDISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C43165 INMATE NAME: ACUNA

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☐ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☐ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) \_\_\_\_\_

## 3) Disclosure of information received.

The information received indicated the following: THAT YOU INMATE ACUNA  
CONTINUE TO INVOLVE YOURSELF IN MEXICAN  
MAFIA PRISON GANG ACTIVITIES by sending  
MONEY TO MEXICAN MAFIA MEMBERS.

(If additional space needed, attach another sheet.)

## 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder).

Confidential Memorandum DATED 9-23-03  
LOCATED IN YOUR CONFIDENTIAL FOLDER

STAFF SIGNATURE, TITLE

DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution; Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165 INMATE NAME: ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

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b) ☐ This source participated in and successfully completed a Polygraph examination.  
c) ☒ More than one source independently provided the same information.  
d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.  
e) ☒ Part of the information provided by the source(s) has already proven to be true.  
f) ☐ Other (Explain) \_\_\_\_\_

## 3) Disclosure of information received.

An EME associate reported that "Cadio" Acuna taught EME associate "Corky" Manuel Flores K32962 how to communicate in code. Acuna used this code in his correspondence with "Popeye" at PBSP. Acuna used "Dean" Salvador Mendoza to assist in redirecting his letters to avoid staff detection that could result in Acuna's return to active status.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated August 8, 2002 in confidential section of C-File

*D.T. Hawkes*

D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER

C43165

INMATE NAME:

ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_

submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

a) ☐ This source has previously provided confidential information which has proven to be true.b) ☐ This source participated in and successfully completed a Polygraph examination.c) ☒ More than one source independently provided the same information.d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.e) ☒ Part of the information provided by the source(s) has already proven to be true.f) ☐ Other (Explain) \_\_\_\_\_

## 3) Disclosure of information received.

A validated EME associate reported that Acuna and "Jo Jo" (identified as EME associate Anthony Sisneros D68626) of Trece Locos were directing the gang activities in PBSP ASU in 1990. Acuna was identified as providing weapons to other EME associates. The source identified Acuna as an EME associate known as "Cadio" of Cucamonga.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated March 5, 2002 in confidential section of C-File

D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use



STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

10

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER

C43165

INMATE NAME:

ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_

submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

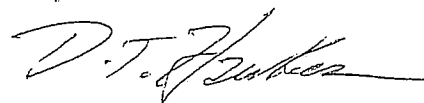
a) ☐ This source has previously provided confidential information which has proven to be true.b) ☐ This source participated in and successfully completed a Polygraph examination.c) ☐ More than one source independently provided the same information.d) ☐ This source incriminated himself/herself in a criminal activity at the time of providing the information.e) ☐ Part of the information provided by the source(s) has already proven to be true.f) ☒ Other (Explain) \_\_\_\_\_Letter from Josie Acuna to Arcadio Acuna

## 3) Disclosure of information received.

In a letter, Josie Acuna informed Arcadio Acuna that she encountered EME member "Tudy" Estrada at the Department of Motor Vehicles. She informed Acuna that she gave Estrada Acuna's address, and Estrada said he would soon be corresponding with him. Josie Acuna also stated that if there is anything important to pass along to Estrada, he simply needs to send her the letter and she will deliver it to Estrada

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential CDC Form 128B dated September 21, 2000 in confidential section of C-File

D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use



STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C43165 INMATE NAME: ACUNA

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☐ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☐ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) \_\_\_\_\_

## 3) Disclosure of information received.

The information received indicated the following:

that the source Acuna  
continued to communicate with a  
validated Mexican Mafia member  
Arturo Estrada CDC # C63175.

(If additional space needed, attach another sheet.)

## 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder).

CDC-128-B Dated 09-21-00. Authored  
by Correctional Officer B. Shelton located in  
your confidential folder.

STAFF SIGNATURE, TITLE

DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165INMATE NAME: ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

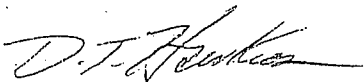
a) ☐ This source has previously provided confidential information which has proven to be true.b) ☐ This source participated in and successfully completed a Polygraph examination.c) ☐ More than one source independently provided the same information.d) ☐ This source incriminated himself/herself in a criminal activity at the time of providing the information.e) ☐ Part of the information provided by the source(s) has already proven to be true.f) ☒ Other (Explain) \_\_\_\_\_Coded communication from EME member Ruben Hernández C04672 to Acuna

## 3) Disclosure of information received.

This documents the misuse of legal assistance between inmates for the purpose of EME member "Tupi" Ruben Hernández C-04672 to pass along a coded message on January 26, 1994, to Acuna. In the message, Hernandez made reference to "Estrada v. Cucamonga 94 Daily Journal 237. Tudy made out alright. 7 years." Hernandez referenced a volume of the Daily Journal that did not exist in order to pass along information to Acuna about EME member "Tudy" Arthur Estrada C63175 (now V26050) of Cucamonga.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated January 31, 1994 in confidential section of C-File

D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C 43165 INMATE NAME: ACUNA

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated 1-3-95

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☐ More than one source independently provided the same information.
- d) ☐ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☐ Part of the information provided by the source(s) has already proven to be true.
- f) ☒ Other (EXPLAIN) Correctional staff circumvented misuse

of legal assistance between inmates

## 3) Disclosure of information received.

The information received indicated the following: A letter was directed  
to you from an FME member and the message  
was a coded message in the form of a false  
case citation.

(If additional space needed, attach another sheet.)

## 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder).

Memorandum dated Jan. 31, 1994 located in the  
confidential section authored by D.T. Hawkes

B.P.O.

STAFF SIGNATURE, TITLE

1-3-95

DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165 INMATE NAME: ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.  
b) ☐ This source participated in and successfully completed a Polygraph examination.  
c) ☒ More than one source independently provided the same information.  
d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.  
e) ☒ Part of the information provided by the source(s) has already proven to be true.  
f) ☐ Other (Explain) \_\_\_\_\_


## 3) Disclosure of information received.

This documents an interview with an EME associate. The source identified Acuna as "Cadio" of Cucamonga, and reported that Acuna was recently (1993) granted EME membership. The source also reported that Acuna's crime partner was "Huero" Marco Ramirez C55431 of Ontario, who was assaulted at PBSP B Facility by EME associates for becoming a "Christian."

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated May 13, 1993 in confidential section of C-File



D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C43165 INMATE NAME: ACUNA

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated 9/29/93

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☒ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☒ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☒ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) \_\_\_\_\_

## 3) Disclosure of information received.

The information received indicated the following: In an interview with  
an inmate ~~that~~ you were identified as  
a new EME member from Cocamonga  
aka "Radio".

(If additional space needed, attach another sheet.)

- 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). Confidential memo located in confidential section  
of c-file dated 5/13/93 by P. Hawkes, PBSP IGT

STAFF SIGNATURE, TITLE

DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165 INMATE NAME: ACUNA, ARCADIO

1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.  
b) ☐ This source participated in and successfully completed a Polygraph examination.  
c) ☐ More than one source independently provided the same information.  
d) ☐ This source incriminated himself/herself in a criminal activity at the time of providing the information.  
e) ☐ Part of the information provided by the source(s) has already proven to be true.  
f) ☒ Other (Explain) \_\_\_\_\_

Letter from Gavaldon C15377 to Gavaldon C15376

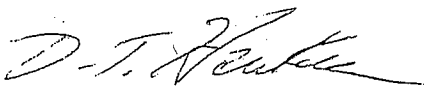
3) Disclosure of information received.

In a letter from EME associate "Little Spider" Roy Gavaldon C15377 to his brother, EME member "Big Spider" David Gavaldon C15376, the younger Gavaldon informs his brother that Acuna received a letter from a lawyer who has an office in his area. Included with the letter was a birthday greeting card for David Gavaldon signed by various EME associates, including Acuna. Acuna's message to Gavaldon, with portions in Spanish translated, stated the following "With all my respect, I send you greetings. Hope to see you again soon. Your pal, Cadio." The letter contained coded information (numbers written in Nahuatl), references to several EME members, names of people who were just granted EME membership, and other EME gang-related messages.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated October 29, 1992 in confidential section of C-File



D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use



STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C 43165 INMATE NAME: Acuna

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated 9/29/93

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☐ More than one source independently provided the same information.
- d) ☐ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☐ Part of the information provided by the source(s) has already proven to be true.
- f) ☒ Other (EXPLAIN) Primary source information

## 3) Disclosure of information received.

The information received indicated the following: In a coded letter from one EME affiliate to another you are implicated in gang activity

(If additional space needed, attach another sheet.)

- 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). Confidential memo & attached correspondence in confidential section of c-file dated 10/29/92 by Hawkes, FBSP, IC
- [Signature] CCT 9/29/93  
STAFF SIGNATURE, TITLE DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use



STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165INMATE NAME: ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

a) ☐ This source has previously provided confidential information which has proven to be true.b) ☐ This source participated in and successfully completed a Polygraph examination.c) ☒ More than one source independently provided the same information.d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.e) ☒ Part of the information provided by the source(s) has already proven to be true.f) ☐ Other (Explain) \_\_\_\_\_

## 3) Disclosure of information received.

This is an interview with an EME associate, who identified Acuna as an active EME associate. Acuna is referenced on a list as an EME associate. No specific gang activity is identified.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated August 31, 1990 in confidential section of C-File

D. T. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS.

*C File* *14*

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C-43165 INMATE NAME: Acuna

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated 11-5-90

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.  
This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☒ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☒ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) \_\_\_\_\_

## 3) Disclosure of information received.

The information received indicated the following: During the debriefing  
Process a reliable confidential source identified  
you as an active EME associate housed  
at PBSA.

(If additional space needed, attach another sheet.)

- 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). Confidential Memo dated 8-31-90 authored by  
J. Anderson Lt. located in confidential section of C-  
P. Perkins CCR 2-8-91  
 STAFF SIGNATURE, TITLE DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C43165 INMATE NAME: ACUNA

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☒ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☐ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) \_\_\_\_\_

## 3) Disclosure of information received.

The information received indicated the following: Confidential memo dated 8-31-90 identifies you as an EME associate through a Debrief interview of an inmate requesting to disassociate himself from The EME Prison Gang.

(If additional space needed, attach another sheet.)

- 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). Confidential Folder of your C-File

contained C.M. 8-31-90M Reynolds CCI  
STAFF SIGNATURE, TITLE8-26-91  
DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165INMATE NAME: ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_

submitted by \_\_\_\_\_

STAFF NAME, TITLE \_\_\_\_\_

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

a) ☐ This source has previously provided confidential information which has proven to be true.b) ☐ This source participated in and successfully completed a Polygraph examination.c) ☒ More than one source independently provided the same information.d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.e) ☒ Part of the information provided by the source(s) has already proven to be true.f) ☐ Other (Explain) \_\_\_\_\_


## 3) Disclosure of information received.

This is a debriefing interview with an EME associate, who identified Acuna as an EME associate he knew as "Carrio." The source stated that Acuna may have been involved in the riot that took place at California State Prison Sacramento County on May 25, 1989 (referring to the EME gang-related assault on Black inmates).

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated September 20, 1989 in confidential section of C-File

  
D. I. Hawkes, Correctional Counselor II  
STAFF SIGNATURE, TITLE

June 2, 2006  
DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

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## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C43165 INMATE NAME: ACUNA

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☒ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☐ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) \_\_\_\_\_

## 3) Disclosure of information received.

The information received indicated the following: Confidential memo dated 9-20-89 identifies you as an EME associate through a Debrief interview of an inmate requesting to disassociate himself from the EME Prison Gang.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder). Confidential Folder of your C-File

M. Reynolds COI  
STAFF SIGNATURE, TITLE

8-26-91  
DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use



STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C-43165 INMATE NAME: Acuña

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated 11-5-90

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☒ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☒ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) \_\_\_\_\_

## 3) Disclosure of information received.

The information received indicated the following: during the debriefing process an EME associate identified you as an EME associate who may have been involved in the 5-25-89 incident at Folsom Fac B.

(If additional space needed, attach another sheet.)

## 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder).

Confidential memo dated 9-20-89 authored by C. Davis C/O located in confidential section of C-File

P. Perkins CCA  
STAFF SIGNATURE, TITLE

2-8-91  
DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER C43165INMATE NAME: ACUNA, ARCADIO

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_

submitted by \_\_\_\_\_

STAFF NAME, TITLE \_\_\_\_\_

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated \_\_\_\_\_

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

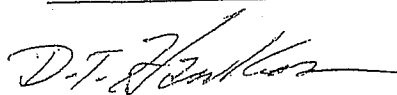
a) ☐ This source has previously provided confidential information which has proven to be true.b) ☐ This source participated in and successfully completed a Polygraph examination.c) ☒ More than one source independently provided the same information.d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.e) ☒ Part of the information provided by the source(s) has already proven to be true.f) ☐ Other (Explain) \_\_\_\_\_

## 3) Disclosure of information received.

During a debriefing interview, an EME associate identified Acuna as an EME associate he knew as "Gladio." Acuna is referenced on a list as an EME associate. No specific gang activity is identified

(If additional space needed, attach another sheet.)

4) Type and current location of documentation; (for example: CDC-128-B of 5-15-86 in the confidential material folder). \_\_\_\_\_

Confidential Memorandum dated October 11, 1988 in confidential section of C-File

D. J. Hawkes, Correctional Counselor II

STAFF SIGNATURE, TITLE

June 2, 2006

DATE DISCLOSED

DISTRIBUTION: WHITE ☐ Central File; GREEN ☐ Inmate; YELLOW ☐ Institution Use

STATE OF CALIFORNIA  
CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

## CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C-43165 INMATE NAME: Acuna

## 1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated \_\_\_\_\_ submitted by \_\_\_\_\_

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated 11-5-90

## 2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☒ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☒ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☒ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) \_\_\_\_\_

## 3) Disclosure of information received.

The information received indicated the following: during the debriefing process a validated EME defector listed you as an EME associate housed at Folsom.

(If additional space needed, attach another sheet.)

- 4) Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder).
- Confidential memo dated 10-11-88 authored by

J McMillin C/O located in confidential section of C-FileP. Perkins CCP  
STAFF SIGNATURE, TITLE2-8-91  
DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use

PROOF OF SERVICE BY MAIL

(C.C.P. section 101a #2015.5; 20 U.S.C. section 1746)

I, Aracadio Acuna, am a resident of Pelican Bay State Prison, in the County of Del Norte, State of California. I am over eighteen (18) years of age and am a party to the below entitled action.

My Address is: P.O. Box 7500; Crescent City, CA 95531.

On the 29th day of Sept., in the year of 2006, I served the following documents: (set forth the exact title of documents served)

Declaration

on the party(s) listed below by placing a true copy(s) of said document, enclosed in a sealed envelope(s) with postage thereon fully paid, in the United States mail, in a deposit box so provided at Pelican Bay State Prison, Crescent City, CA 95531 and addressed as follows:

Pamela A. Hooley, Deputy Atty General

P.O. Box 944255

Sacramento, CA

94244-2550

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 29th day of Sept., 2006.

Signed: Aracadio Acuna

(Declarant Signature)

PROOF OF SERVICE

**Case Name:** Arcadio Acuña C-43165 on habeas Corpus  
**Court:** Del Norte County Superior Court  
**Case No.:** HCPB 05-5242

I am a citizen of the United States, over the age of 18 years, and not a party to the above-entitled action. My business address is 1 Point Saint George Place, Crescent City, California 95531.

On October 2, 2006, I caused to be served

**SUPPLEMENTAL DECLARATION OF ARCADIO ACUÑA**

on the interested party(ies) listed below, addressed as follows:

Office of Attorney General  
1300 I Street, Suite 1101  
P. O. Box 944255  
Sacramento, CA 94244-2550

☒ **By Regular Mail.** By placing at my place of business a true copy thereof in a sealed envelope with first-class postage, for collection and mailing with the U.S. Postal Service where it would be deposited with the U.S. Postal Service that same day in the ordinary court of business, addressed as set forth above.

☐ **By Personal Service.** By personally delivering a true copy thereof to the party(ies) at the address(es) set forth above.

☐ **By Facsimile.** By faxing a true copy thereof to the party(ies) at the facsimile number(s) set forth above.

☐ **By Courthouse Mailbox.** By placing a true copy thereof in the appropriate mail receptacle located in the Court House.

I declare under penalty of perjury under the laws of the State of the California that the foregoing is true and correct.

Executed October 2, 2006, at Crescent City, California, by

Donna Lema  
Donna Lema, Declarant